

1 **DAVID M.C. PETERSON**  
2 California State Bar No. 254498  
3 FEDERAL DEFENDERS OF SAN DIEGO, INC.  
4 225 Broadway, Suite 900  
5 San Diego, California 92101-5008  
6 Telephone: (619) 234-8467  
7 E-mail: david.peterson@fd.org

8 Attorneys for Mr. Caldera-Aguirre

9 **UNITED STATES MAGISTRATE COURT**

10 **SOUTHERN DISTRICT OF CALIFORNIA**

11 **(HONORABLE ANTHONY J. BATTAGLIA)**

12 UNITED STATES OF AMERICA, ) Case No. 08cr1307-BEN  
13 Plaintiff, )  
14 v. ) **JOINT MOTION TO CONTINUE CHANGE OF  
15 ANTONIO CALDERA-AGUIRRE, ) PLEA HEARING**  
16 Defendant. )  
17 \_\_\_\_\_

18 TO: KAREN P. HEWITT, UNITED STATES ATTORNEY;  
19 CALEB MASON, ASSISTANT UNITED STATES ATTORNEY

20 IT IS HEREBY REQUESTED by the parties in the case, the defendant, Antonio Caldera-Aguirre,  
21 by and through his counsel, David M.C. Peterson, Esq., Federal Defenders of San Diego, Inc., and United  
22 States of America by Caleb Mason, Assistant United States Attorney, that the change of plea hearing in the  
23 above entitled case scheduled for Tuesday, May 6, 2008 at 1:30 p.m., be continued to Tuesday, May 20,  
24 2008 at 1:30 p.m., or as soon thereafter as counsel may be heard. Undersigned defense counsel called the  
25 court's judicial assistant to obtain the new motion hearing date. A proposed order with respect to this joint  
26 motion is being submitted directly to the court via [efile\\_battaglia@casd.uscourts.gov](mailto:efile_battaglia@casd.uscourts.gov).

27  
28 Respectfully submitted,

Dated: April 30, 2008

/s/ David M.C. Peterson

**DAVID M.C. PETERSON**

Federal Defenders of San Diego, Inc.  
Attorneys for Mr. Haynes

Dated: April 30, 2008

/s/ Caleb Mason

**CALEB MASON**, Assistant U.S. Attorney

1                   **CERTIFICATE OF SERVICE**

2                   Counsel for Defendant certifies that the foregoing is true and accurate to the best information and  
3 belief, and that a copy of the foregoing document has been caused to be delivered this day upon:

4                   Courtesy Copy to Chambers

5                   Copy to Assistant U.S. Attorney via ECF NEF

6                   Copy to Defendant

7                   Dated: April 30, 2008

8                   \_\_\_\_\_  
9                   /s/ DAVID M. PETERSON  
10                  Federal Defenders of San Diego, Inc.  
11                  Attorneys for Mr. Caldera-Aguirre  
12                  225 Broadway, Suite 900  
13                  San Diego, California 92101  
14                  Telephone: (619) 234.8467  
15                  Email: david\_peterson@fd.org